

PROPOSED DISCOVERY PLAN/SCHEDULING ORDER¹
(Magistrate Judge Lee G. Dunst)

Case No.: 25-CV-01376(LGD) **Date of Initial Conference:** 7/8/2025

Plaintiff(s) (including names of counsel who will appear at the initial conference):

Liliana Carolina Yanes

Represented by Steven Moser

Defendants(s) (including names of counsel who will appear at the initial conference):

Nilkhant 2 Car Wash, LLC d/b/a Bethpage Car Wash, Rakeshbhai Patel, Darpan Patel and Ronak Patel

Represented by Ira Levine

PREPARATION FOR INITIAL CONFERENCE

1. Rule 26(f) Meeting

a. Date(s) meeting(s) held:

June 17, 2025

b. Plaintiff(s)' representative(s) who participated:

Steven Moser

c. Defendant(s)' representative (s) who participated:

Ira Levine

2. Discovery Exchanged Prior To Initial Conference *[insert details below]*

NONE: Plaintiff served interrogatories, requests for production, and deposition notices on May 9, 2025.

Defendants have sought, and Plaintiff has consented to extensions.

¹ The parties should consult Judge Dunst's Individual Practice Rules if they need further direction about completion of this form to be filed jointly on ECF at least five (5) business days before the Initial Conference. In completing this form, the parties are reminded that the scope of discovery should be "proportional to the needs of the case." Fed. R. Civ. P. 26(b)(1).

3. Electronically Stored Information (if any)

- a. Have counsel discussed any ESI to be produced?

Yes. ESI Consists of text messages.

- b. Have the parties entered into an ESI protocol?

No.

4. Protective Order (if any) [insert expected date of submission for Court approval]

The parties do not believe that a protective order is necessary.

5. Do the parties consent to trial before a magistrate judge pursuant to 28 U.S.C. § 636(c)?

No.

PHASE 1 DISCOVERY

1. Date for completion of **automatic disclosures** required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, if not yet made:

7/18/2025

2. Date for completion of **preliminary discovery** necessary for reasoned consideration of settlement: 8/15/2025
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3. Settlement Conference and Mediation [Select Option 1 or 2 below]

- a. Option 1: Proposed date for initial settlement conference [any time prior to the commencement of Phase 2 discovery] _____.
- b. Option 2: The parties wish to be referred to the EDNY Mediation Program for mediation: The parties wish to be referred to the EDNY Mediation Program
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PHASE 2 DISCOVERY

1. **Deadline** for proposed **amendment of the pleadings** to add claims or join additional parties:² 9/1/2025.
2. Anticipated **number** of **depositions**: plaintiff(s): 1 defendant(s): 5.
3. Date for **completion of fact discovery**: 11/28/2025.
4. **Number** of **expert witnesses**: plaintiff(s): 0 defendant(s): 0.
5. Date for exchange of **expert report(s)**: n/a.
6. Date for **completion** of **expert discovery**: n/a.
7. Date for **submission** of **joint certification of completion of all discovery**: ^{11/28/25} 11/28/25.
8. Final date to take the first step in **dispositive motion practice**: 1/5/2026.
(Parties are directed to consult the District Judge's Individual Rules regarding such motion practice).

² Any motion to amend the pleadings to add claims or join additional parties filed on or after the court-approved deadline will be denied absent a showing of good cause under Fed. R. Civ. P. 16(b)(4). *See Sacerdote v. New York University*, 9 F. 4th 95, 115 (2d. Cir. 2021).